



## **PIMA COUNTY ATTORNEY'S OFFICE DEFERRED PROSECUTION ANNUAL REPORT FISCAL YEAR 2011/2012**

### **ADULT DIVERSION PROGRAM ORGANIZATION**

#### **The program is comprised of four separate diversion entities:**

- Domestic Violence Diversion Program (DVDP)
- Felony Diversion Program (FDP)
- Misdemeanor Diversion Program (MDP)
- Substance Abuse Diversion Program (SADP)

#### **Domestic Violence Diversion Program (DVDP)**

This program is designed to handle 1<sup>st</sup> time diversion eligible defendants arrested for a domestic violence misdemeanor offense. The defendant is interviewed and supervised by an Adult Diversion Specialist (Specialist). The Specialist conducts an initial interview to determine program eligibility of the defendant and the types of intervention strategies to be completed. If accepted into the program the defendant will be supervised by the Specialist from 6 to 12 months. The defendant must attend programs such as counseling and anger management classes as well as pay restitution and diversion fees as directed by the Specialist. Periodic and random drug testing may be required of the defendant. The supervision method and the contact frequency of the defendant are at the discretion of the Specialist. One of the priorities of the specialist is to ensure that the victim is restored. If the defendant complies with diversion, the case will be terminated successfully. At any point, the defendant can be terminated unsuccessfully for failure to comply.

#### **Felony Diversion Program (FDP)**

This program is designed to handle 1<sup>st</sup> time diversion eligible defendants arrested for a felony offense. The defendant is interviewed and supervised by a Specialist. The

Specialist conducts an initial interview to determine program eligibility and the types of intervention strategies to be completed. If accepted into the program the defendant will be supervised by the Specialist from 12 to 36 months. The supervision method and the contact frequency of the defendant are at the discretion of the Specialist. The Specialist will direct the defendant to attend counseling programs, life skill enhancement classes, and pay restitution and diversion fees. Periodic and random drug testing may be required of the defendant. If the defendant complies with diversion, the case will be terminated successfully. At any point, the defendant can be terminated unsuccessfully for failure to comply.

### **Misdemeanor Diversion Program (MDP)**

This program is designed to handle diversion eligible defendants arrested for 1<sup>st</sup> or 2<sup>nd</sup> time misdemeanor offenses. These defendants are unsupervised. They are referred from the Court to Adult Diversion Program (ADP). The Defendant must appear at ADP within 48 hours after their hearing and check-in. At that time they complete the appropriate paperwork and are given the fee amounts and programs to attend. The contact and paperwork is handled by Legal Processing Support (LPS). If the defendant complies with diversion, the case will be terminated successfully. At any point, the defendant can be terminated unsuccessfully for failure to comply.

### **Substance Abuse Diversion Program (SADP)**

This program is designed to handle diversion eligible defendants arrested for 1<sup>st</sup> or 2<sup>nd</sup> time drug offenses such as, unlawful possession of marijuana or paraphernalia and alcohol. These defendants are unsupervised. They are referred from the Court to ADP. The Defendant must appear at ADP within 48 hours after their hearing and check-in. At that time, the defendant will complete the appropriate paperwork and be given the fee amounts and programs to attend. Periodic and random drug testing may be required of re-offenders. The contact and paperwork is handled by Legal Processing Support (LPS). If the defendant complies with diversion, the case will be terminated successfully. At any point the defendant can be terminated unsuccessfully for failure to comply.

## **PROGRAM SUPERVISION**

Currently, one Specialist supervises the Felony Diversion Program (FDP) cases and one Specialist handles the Domestic Violence Diversion Program (DVDP) cases. One Legal Processing Support (LPS) assists the two Specialists. The Misdemeanor Diversion Program and Substance Abuse Diversion Program units are staffed by one LPS employee. One supervisor monitors the everyday operations of the program and the three employees. This employee is supervised by a Paralegal Lead.

### **FY 2011/2012 Adult Diversion Program statistics**

#### **Year totals all programs combined:**

Total number of new referrals into all programs combined:	1,161
Total number of successful terminations:	995
Total number of unsuccessful terminations:	402
Total number of cases processed:	1,397
Total number of pending cases:	385
Compliance Rate:	71%

#### **Year totals for each individual program:**

	Total Processed	Successful	Unsuccessful	Compliance Rate
Felony Diversion Program:	131	52	79	40%
Domestic Violence Diversion Program:	268	158	110	59%
Misdemeanor Diversion Program:	304	234	70	77%
Substance Abuse Diversion Program:	694	551	143	80%
<b>TOTAL</b>	<b>1397</b>	<b>995</b>	<b>402</b>	<b>71%</b>

The compliance rate was tabulated by taking the total number of terminated cases (1397) and dividing it into the total number of cases successfully terminated (995) and multiplying the number by 100. This equals the percentage rate.  $995 \text{ divided by } 1397 = .712 \times 100 = 71\% \text{ compliance rate.}$

**Year totals for each specialist:**

Specialist compliance rate numbers are derived from cases actually worked. The following reasons for termination from diversion are not counted as unsuccessful: defendant denies allegations; defendant fails to show for the initial interview, defendant rejects the program at the initial interview, the referral to ADP is inappropriate such as the discovery that the defendant has a prior arrest or conviction record. The numbers shown in the "Total Processed" category are actual cases worked minus the cases unsuccessfully terminated for the above reasons. These reasons are beyond the control of the Specialist. The above does not apply to Misdemeanor Diversion Program and Substance Abuse Diversion Program.

	Total Processed	Successful	Unsuccessful	Compliance Rate
Felony Diversion Program:	182	93	89	51%
Domestic Violence Diversion Program:	177	117	60	66%
Misdemeanor Diversion Program:	304	234	70	77%
Substance Abuse Diversion Program:	694	551	143	80%
<b>TOTAL</b>	<b>1357</b>	<b>995</b>	<b>362</b>	<b>73%</b>